IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 10152 of 2005

Between:

U.K.Narsimhulu, S/o.Lakshmanna,
Yemmiganur, Kurnool Dist.

..... PETITIONER

AND

1 The Joint Collector, Kurnool.
2 The Revenue Divisional officer, Adoni, Kurnool Dist.
3 The Mandal Revenue officer, Yemmiganur Town, Kurnool Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of Certiorari call for the records pertaining to the order passed by the 2nd respondent herein in his proceeding No.Rc.M.1217/05, dt.14-03-2005 and quash the same is highly illegal, arbitrary and violative of Art. 14, 19(1) (g) and 21 of the Constitution of India and consequently direct the respondents to continue the petitioner as a fair price shop dealer and pass such other order or orders as this Hon'ble court may deem fit and proper

Counsel for the Petitioner: MR.B.PURSHOTHAM REDDY

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the stage of admission made the following :

ORAL ORDER:

Petitioner is a fair price shop dealer. The second respondent by his order dated 19-1-2005, dismissed his authorization on certain irregularities. Record reveals that in the earlier round of litigation, on the very same allegations, the second respondent suspended the authorization of the petitioner and aggrieved by the same, the petitioner filed WP No. 1746 of 2005 before this Court. The said writ petition was disposed of with certain directions. But the second respondent again suspended his authorization, on the very same allegations. Hence the present writ petition.

Learned counsel for the petitioner submitted that challenging the order of the second respondent, the petitioner preferred an appeal before the first respondent and the same is pending. He further submitted that along with the appeal, the petitioner filed an application seeking interim stay of the order of suspension. But the first respondent rejected the said application.

Having regard to the facts and circumstances of the case, and in view of the fact that the petitioner had already availed an efficacious remedy of appeal before the first respondent, I deem it appropriate to dispose of the writ petition at the stage of admission, with a direction to the first respondent to dispose of the appeal, preferred by the petitioner, as expeditiously as possible, preferably, within four weeks from the date of receipt of a copy of this order, keeping in view the correctness of the order of the second respondent. No order as to costs.

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kvsn 28-04-2005

To

1 The Joint Collector, Kurnool.
2 The Revenue Divisional officer, Adoni, Kurnool Dist.
3 The Mandal Revenue officer, Yemmiganur Town, Kurnool Dist.

4 Two CCs to GP for Civil Supplies, High Court buildings, Hyderabad.

5 Two CD copies.